

CHAPTER 1

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS1-C. Authorization of Overtime, Holiday, and Unscheduled Work, and Authorization of Overtime Pay and Compensatory Time

1. AUTHORITY. Pursuant to EPA Pay Administration Manual, Chapter 4, Paragraphs 6 to 10, and subject to the restrictions and requirements of any applicable collective bargaining agreement and of applicable law, including 5 U.S.C. §5542 and the Fair Labor Standards Act, 29 U.S.C. §201, et seq.:

a. To authorize or require irregular or occasional overtime work for all employees.

b. To authorize or require regular overtime work, and to authorize overtime pay for such work, for all employees; also, for employees on a flexible work schedule who request compensatory time off, to authorize compensatory time off in lieu of overtime pay for regular overtime work.

c. To authorize unscheduled hours for employees other than permanent full-time employees.

d. To authorize holiday work for all employees.

e. To authorize or require either compensatory time or overtime pay for employees who are to perform irregular or occasional overtime work and who are exempt employees under the Fair Labor Standards Act whose pay exceeds the level of GS-10, Step 10; however, compensatory time off authorized under this subparagraph cannot exceed 60 hours accumulation for any one employee at the end of any pay period.

Delegation of Authority from the Regional Administrator

TN# 17-97

DATE: **OCT 22 1997**

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f. To authorize overtime pay for employees who are to perform irregular or occasional overtime work and who are exempt employees under the Fair Labor Standards Act whose pay does not exceed the level of GS-10, Step 10, and to authorize compensatory time off if the employee is allowed by law to request compensatory time and does request it; however, compensatory time off authorized under this subparagraph cannot exceed 60 hours accumulation for any one employee at the end of any pay period.

g. To authorize overtime pay for employees who are to perform irregular or occasional overtime work and who are non-exempt employees under the Fair Labor Standards Act, or to authorize compensatory time off if the non-exempt employee is allowed by law to request compensatory time and does request it; however, compensatory time off authorized under this subparagraph cannot exceed 60 hours accumulation for any one employee at the end of any pay period.

h. To authorize compensatory time in place of pay for overtime work in excess of 60 hours and not-to-exceed 80 hours for any employee at the end of any pay period.

i. To authorize the conversion of any amounts of accumulated compensatory time to paid overtime for such reasons as workload, staffing, or other valid considerations which preclude the scheduling or use of compensatory time earned.

2. TO WHOM DELEGATED. As to the authorities in 1.a through 1.g above, to Division Directors, Office Directors, and the Deputy Regional Administrator. As to the authorities in 1.h and 1.i, to the Deputy Regional Administrator.

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GENERAL, ADMINISTRATIVE AND MISCELLANEOUS1-C. Authorization of Overtime, etc. (Cont'd)3. LIMITATIONS.

a. All authorities shall be exercised in accordance with governing laws, regulations, and Agency rules and procedures.

b. An officer or employee who has been delegated authority to authorize overtime work or compensatory time shall not exercise such authorities for himself or herself. Any overtime work or compensatory time for such persons must be officially ordered or approved by an individual who is at a higher organizational level, and who has the authority to authorize the overtime work or compensatory time.

4. REDELEGATION AUTHORITY. The authorities in 1.a through 1.g above may be redelegated to the Branch Chief level. All such redelegations must be in writing, and copies shall be forwarded to the Regional Personnel Officer and to the Regional Comptroller. All other authorities may not be redelegated.

5. ADDITIONAL REFERENCES.

EPA Pay Administration Manual, Chapter 4, dated 5/17/90 (3155 TN 8). FPM Chapter 550 Pay Administration (General), Subchapter 1. Premium Pay (Inst. 262, May 7, 1981).

FPM Supplement 990-2 Hours of Duty, Pay, and Leave, Annotated, Book 550 Pay Administration (General), Subchapter S-1. Premium Pay (Inst. 68 3/7/83, Inst. 73 4/20/84), Appendix H. Relationship Between Agency Established Work Schedule Under Book

REGION V MANUAL
DELEGATIONS

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GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-C. Authorization of Overtime, etc. (Cont'd)

610 and Employee Premium Pay Entitlements Under Book 550 (Inst. 68 3/7/83), and Book 620 Alternative Work Schedules (Inst. 62 9/30/80).

EPA Region V Order No. RV 3160.3, Overtime Policy, effective date 9/10/84.

Fair Labor Standards Act, as amended, 29 U.S.C. §201, et seq.

5 U.S.C. §§ 5542, 5543, and 6123.

Applicable collective bargaining agreements.